

From: William Duckwitz
To: cblake@erols.com
Date: 3/10/03 4:38PM *February 10,*
Subject: Ref: Blake Letter dated, March 3, 2003

This office has received your letter dated, March 3, 2003, concerning your request for NHTSA to open an investigation relating to certain late model Toyota vehicles involving engine fires and other related problems with the sludge-prone vehicle group.

I look forward to discussing this matter with you within the next few days, please e-mail my office for a good time for a telephone call. The last two times I attempted a call to your home number have been during the day and we haven't been able to talk about your concerns.

Thanks!

CC: Jonathan White

This serves as the acknowledgement letter to Ms. Charlene Blake for DP02-004.

FR 3/7/02

Toyota SLUDGE Problem

Sun, Feb 10, 2002 11:07 PM

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REC'D.

DEFECTS INVESTIGATION

To Whom It May Concern,
Please see below the most recent developments in the Toyota sludge saga. In a previous message to you, I have asked for assistance in getting the word out to the public. I would, once again, like to ask for your assistance in obtaining media sources for this most significant problem.

In 1995, you assisted me in getting the word out about the Chrysler ABS problem. I networked with hundreds of owners then and after a NHTSA investigation and a class action lawsuit, a recall resulted. Mr. Wolfgang Rinehart was the investigator in the ABS matter.

Once again, I am networking with hundreds of Toyota owners in the sludge matter. There is cover-up, deceit, and fraud by Toyota, we believe. I've been posting and gathering information for over one year now. The news article in Automotive News confirms what the owners have known all along....there is a major design (engineering) problem in the Toyota 3.0 L, V6 engine. The owners are being blamed for the problem and the new vehicle warranties are being voided. THIS IS NOT FAIR.

Many owners have written to the FTC and the NHTSA, as well as the CAS. We would like you to take strong action on our collective behalf. WE NEED YOUR HELP!

Several owners are willing to share their story with any media source. I have had direct contact with Robin Burpee and Maggie Alampay, the owners who were highlighted in the news article. I am also assisting Roni Amro, the attorney and sludge victim who is handling the class action lawsuit.

Together over time, the networking owners have gained momentum while keeping the dialogue alive on several internet web sites, including the Complaint Station for Toyota and Edmund's Town Hall (under "Engine Sludge?"). We are not about to let this issue go until Toyota reinstates a valid warranty in our vehicles. This is what the law provides, and no "goodwill policy" will be sufficient to ensure our continued consumer rights.

PLEASE, let us know what you can do to support us! We are dedicated to seeing this through, no matter what it takes!

Sincerely yours,
Charlene Blake
Vienna, VA
cblake@erols.com

(703) 319-1935 (home)
(703) 326-3100 (work)

Toyota, owners spar over sludge
From Automotive News Online
February 08, 2002
By Joe Kohn

More than 3,000 Toyota owners have been at loggerheads with the automaker because of a buildup of sludge in their engines. Toyota is in the unusual position of having to defend its quality.

Toyota SLUDGE Problem

Sun, Feb 10, 2002 11:07 PM

To read more about this topic go to
<http://www.autonews.com/news.cms?newsId=1534>

For news headlines throughout the business day, go to:
<http://www.automotivenews.com>

Information needed for Class Action Lawsuit:

1. Date of purchase of vehicle
2. Type of engine in vehicle
3. Dates of oil changes and at what mileage intervals
4. Date first noticed problems (smoke, oil light...) and at what mileage interval
5. Dates and summary of what Toyota repair facility did
6. Did you write letters, provide proof, or get anything in writing from Toyota
7. Did you go to arbitration
8. Where is your vehicle now
9. What monetary damages has this caused
10. What other type of damage has this caused (time, inconvenience, stress...)

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Toyota, owners spar over sludge

By Peter Brown
Automotive News / February 26, 2002

General Motors News 2002 - oil sludge

LOS ANGELES - In September 1999, Maple Almeny, a 47-year-old medical transcriptionist, drove off the lot of Kendall Toyota in Miami with a new 2000 Toyota Camry sedan equipped with a 3.0-liter V-6.

Having leased two Priuses previously, Almeny says she felt comfortable with Toyota and confident of its quality. But just over a year and 20,000 miles later, she took the Camry back to Kendall for service because the oil indicator light stayed illuminated.

That's when Almeny got验证 out of her Toyota comfort zone.

"When I got there," she recalled in a telephone interview last week, "they told me I needed a new engine and that they wouldn't pay for it."

Kendall Toyota quoted the repair at \$8,000.

Like more than 3,000 other owners who have complained to Toyota about vehicles equipped with two of the automaker's new engine families - the 1MZ V-6 and every little 4 - Almeny suddenly found herself at odds with a company she had long associated with high quality and caring customer service.

Her engine was shaking on a buildup of sludge, oxidized oil in the form of rusty gunk that can seize up an engine. But because the problem can be caused from failure to change the oil regularly, Toyota ultimately has refused to cover it under its five-year/100,000-mile powertrain warranty - even when evidence of regular maintenance has been furnished, as it was in Almeny's case.

Her attorney has been perched in her front yard, available, for the past year while she argued unsuccessfully with Toyota over responsibility for the problem.

The last of her legal expenses to be over, though.

New repair policy

In a letter sent last week to more than 3.3 million owners of vehicles equipped with the two engines, Toyota Motor Sales U.S.A. says it will pay repair costs for sludge damage in cases where customers can provide proof of "reasonable efforts" to maintain the vehicle.

Automotive News
Maple Almeny, 47

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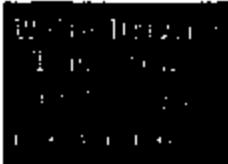
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The so-called special policy adjustment, requiring proof of only one oil change in a year, is good for one year. At the same time, though, the U.S. auto firm refused to veer from its position that negligent owners, not the product, are the source of the problem.

"We're not aware of any cases of oil gelling in properly maintained engines," said Tom Doty, general manager of Toyota Customer Service, in a press release that underscored owners' responsibility to maintain their vehicles properly.

"Toyota understands that consumers do sometimes be concerned about how to properly maintain their vehicles. We're considering that this program will reward customers of their responsibility as well as encourage those who have had regular oil changes that they have nothing to be concerned about."

Toyota and Lexus owners normally expect oil changes every 7,500 miles or six months, whichever comes first, under normal driving conditions, and 6,000 miles or four months under severe driving conditions.

But to Altemary and thousands of other consumers who have vented on the Internet, to the National Highway Transportation Safety Administration, to lawyers, to state attorney generals - and to Toyota - the company's stance is the wrong kind of distract. In the view of these angry owners and some experts, the problem stems from design or quality flaws in some of the 3.3 million engines produced between 1998 and 2001.

Altemary said she showed her dealer oil change receipts from Jiffy Lube showing that she had changed the oil in the Sienna regularly.

"I might not have done oil changes every 4,000 miles," she said. "I have some at 4,000 and some at 6,000 - but I have had oil changes. But they wouldn't accept my Jiffy Lube receipts."

Similarly, Robin Shropshire, a 34-year-old homebuilder in Monroe, Mich., says she was refused warranty coverage for engine damage even after showing her dealership, Executive Toyota Inc. of Little Creek, receipts for regular oil changes. Her leased 2000 Sienna 3.3 blew a head gasket on the highway in November and had to be towed.

After being for arbitration under recommendations from an independent master arbitrator, Toyota to late January agreed to pay for Shropshire's engine repair but refused to pay for alternate transportation, costs for living on independent hotel bills and other incidental costs associated with the repair.

"I am out of pocket nearly \$6,000 of incidental expenses that they are refusing to reimburse me for," Shropshire said last week. Dodge questions

Although it's not clear why the two Toyota engines are so susceptible to sludge buildup, some independent experts say the construction of complete within these engines and a number that hand points to either a design flaw or a quality deficit.

Larry Perry, an A.R.E.-Certified Master Technician repair shop owner and host of a radio talk show in Orlando, Fla., says he has discovered an apparent design flaw in 3.3-liter V-6s produced between 1998 and 2001. He says he sees a disproportionate number of the engines coming through his shop on 1998 and 2000 Siennas.

"We believe Toyota reduced the size of cooling passages in the cylinder heads in these engines in order to increase combustion temperatures for more of a complete burn to reduce exhaust emissions," Perry said.

These engine heads are more susceptible to sludge. Perry says he has measured cylinder-head temperatures as high as 200 degrees in these engines - 30 degrees higher than in earlier models.

Perry also points out that this engine series uses a blower basket instead of a rocker arm to open and close the valves.

"The blower sits in the head and gets wedged and stuck jammed up underneath it. the when it gets compressed by the camshaft, it's expelling oil into the combustion chambers," he said.

In this case, he said, the solution is to use only 100 percent synthetic motor oil.

Another Toyota Sienna owner, who declined to be identified, said an analysis of her oil by Valvoline Co. in Lexington, Ky., found traces of dissolved glycol - pointing to the likelihood of a faulty head gasket, allowing coolant into the engine chamber.

That also would raise engine temperatures, leading to sludge buildup.

Last week, Toyota said that its policy change is not an admission that there is any defect in the engines. Rather, the company says, it is an attempt to cut on potentially huge number of consumers who'd sue while encouraging customers to maintain their vehicles properly.

In the scope of Toyota's engine-fix customer base, the approximately 3,100 consumers to date who have complained to the company about sludge - 2,400 Toyota owners and 700 Lexus owners - is minuscule. The group consists of less than .01 percent of Toyota owners in the United States.

Legal action brewing

But some Toyota owners who have incurred large costs because sludge has injured their engines still are considering suing that Toyota has not done enough and are turning to lawyers to make their voices heard.

Lawyers in Florida, Georgia and Idaho are using Internet message boards to gather clients in hopes of forming class-action lawsuits against the automaker.

Toyota spokesman Mike Michalek said Toyota monitors the "word law" customers on the Internet who warn others about purchasing Toyota products because of sludge problems. But he and Doley said the company was not aware of lawsuits being formed.

Regardless of what potential legal action may do, Toyota will face dozens of customers who, like Alacary, want they claim more compensation than the cost of replacing an engine.

"They don't know what I've been through," she said late last week after Toyota announced the new policy.

"My daughter has been sick at school. I have been waiting for them, waiting home, waiting two hours for a loan - all the while I'm making our payments. I don't think I'm asking for too much at all. Not at all. I've been abused by this big corporation. That's how I feel."

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Toyota to Pay Repair Costs for Some Sludge-Fouled Engines

By JOHN O'DELL, TIMES STAFF WRITER

Toyota Motor Corp. said Friday that it was sending letters to 3.3 million Toyota owners in the U.S. in hopes of resolving a potential engine problem.

Faced with a small but steady stream of complaints from customers who say their Toyota and Lexus engines are gumming up with sludge, oxidized oil, Torrance-based Toyota Motors Sales U.S.A. is promising to pay repair costs for sludge damage when car owners can provide proof that they changed the oil in their vehicles at least once a year.

The policy adjustment covers Toyota and Lexus models from 1997 to the present equipped with the company's 3.0-liter V-6 engine or its 2.3-liter four-cylinder engine. Those engines are used in most of the maker's high-volume models such as the Toyota Camry, Solara and Avensis cars, Sienna minivan, Highlander sport-utility vehicle and the Lexus RX300 SUV and ES300 sedan.

Toyota spokesman Mike Michels said the firm has had 3,100 complaints about oil sludge problems.

An article published Friday by the Automotive News on its Internet site quoted owners of several Toyota vehicles as saying they faced thousands of dollars in repair bills when Toyota dealers refused to fix their sludge-fouled engines under warranty.

Michels said Toyota believed almost all problems were caused by owners who did not follow Toyota's recommended schedule of oil changes every 7,500 miles or six months, whichever comes first, under normal driving conditions and at 5,000 miles or every four months under severe driving conditions.

"We are talking about 0.01% of the owners," he said. "If this were a pervasive problem, we would have known about it long ago. Quality surveys from J.D. Power and others would have reflected it."

Michels declined to speculate on the potential cost to Toyota—first-class postage for the letters alone ran \$1.1 million—but said many of the engine problems could be repaired by simply changing the oil several times to flush the sludge.

"A valve job might be the most expensive thing. An engine replacement would be very rare," he

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